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SUBJECT: CAMBODIA'S PM MEETS WITH NGOS TO DISCUSS LAND,
WOMEN'S ISSUES

¶1. (SBU) Summary. On March 15, PM Hun Sen met with representatives of 10 NGOs to discuss land disputes and women's issues. NGO concerns regarding land issues centered on illegal government concessions of large tracts of land, lack of local community involvement in land development, slowness in the land titling process, and possible NGO cooperation with the RGC's newly proposed National Authority.

On women's issues, NGOs would like the RGC to expedite the implementation of the domestic violence law, take tougher judicial action against repeat offenders of abuses against women and children, and establish a government-managed shelter for female victims of rape, domestic violence and trafficking. The PM's response was positive; he acknowledged all the problems raised by the NGOs, invited them to join the National Authority to resolve land disputes and demurred on establishing a shelter saying it's too costly. The NGOs remain skeptical of Hun Sen's intentions, but are considering how best to work with the RGC on these important topics. The PM reportedly told the NGOs he would not meet with UN Special Representative for Human Rights Yash Ghai during Ghai's next visit to Cambodia. End Summary.

NGO Agenda with the PM

¶2. (U) On March 14, LICADHO founder Kek Galabru outlined to Pol/Econ Chief the PM's agreement to meet with Cambodian Center for Human Rights (CCHR) leader Kem Sokha and others, including Kek Galabru, the following day at the PM's residence. The NGOs had met earlier in the week to discuss their agenda, and settled on the topics of land disputes and women's issues. With respect to land issues, the NGOs are concerned over the non-transparent process by which the government has granted land concessions to different companies, often far exceeding the legally mandated limit of 10,000 hectares. In addition, in cases where the land concession purportedly includes local community development, Galabru said that companies rarely solicit input from the affected communities. She cited a recent case in which the company granted the concession did work out a development plan with the local community, and suggested that it should be the model for all such future concessions. On land titling, the process is moving very slowly and is not keeping pace with people's needs. The 2001 land law established that people who had lived on their property uncontested for at least five years were considered eligible to apply for a title, but many people did not know how to go about getting a title or were unaware of the law. According to LICADHO, there are many cases of people bribing officials to illegally receive land titles and then trying to evict people from their land.

13. (SBU) On cooperation with the government-proposed National Authority, Galabru said she remains skeptical of the government body but agreed that the NGOs should find a way to work with it as long as there is some prospect for making progress on contentious land issues. She said that two NGOs specializing in legal work -- the Cambodian Defenders Project and Legal Aid, may join the National Authority as they have the lawyers and expertise to push the issues in a legal manner. The other NGOs likely will form a working group and collaborate with the National Authority.

14. (U) Concerning women's issues, Galabru said that the implementation of the domestic violence law was a key concern, as was the weak judicial response to repeat offenders of abuse against women and children. On trafficking in particular, the NGOs would like the government to establish a shelter for women who have been raped, abused, or trafficked so that they are properly protected. Galabru cited the AFESIP shelter's problems in December 2004, as well as a similar situation earlier in 2004 involving the Cambodian Women's Crisis Center's (CWCC) shelter as examples of why the government should take more responsibility to protect female victims. In both instances, the NGOs were unable to prevent large crowds of angry protesters and purported relatives from removing the women from the shelters.

PM Meets with NGOs; Acknowledges Problems

15. (SBU) On March 15, Prime Minister Hun Sen, Deputy PM Sok An, Eng Chhay Eang from the Sam Rainsy Party, Minister Men Sam An of the Ministry for National Assembly/Senate Relations, Minister Im Chhum Lim of the Ministry of Land Management, Minister Mok Mareth of the Ministry of

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Environment, PM advisor Om Yentieng, and a government lawyer.

Ten NGOs were represented, including Kem Sokha from CCHR, Kek Galabru of LICADHO, Sok Sam Oeun from the Cambodian Defenders Project (CDP), Ok Vandeth from Legal Aid, Ms. Ung Chanthol from CWCC, Ms. Ros Sopheap from the Gender and Development Project, Ms. Hor Phally from a domestic violence NGO, Nhek Sarin of Cambodia Star, Nhek Vanna of Youth Volunteer Community for Democracy and Pa Nguon Teang of CCHR (notetaker).

16. (SBU) The PM was aware that the topics for discussion would be land disputes and women's issues. Before the NGOs had an opportunity to outline the issues of concern to the government officials, the PM reportedly pre-empted them by acknowledging all the major problems in both sectors. Kek Galabru said that Hun Sen recognizes the same issues as the NGOs as requiring government intervention. The PM accepted the recommendations from the NGOs, but it is too soon to know how quickly and how strongly they will be implemented. According to CCHR's Kem Sokha, the PM reportedly told the group that he would order provincial police authorities to release from detention protesters whose land has been confiscated in the provinces of Takeo, Kompong Speu, Kratie, and Ratanakiri.

17. (SBU) Kek Galabru said the PM showed them a newly signed sub-decree that more specifically names the members of the National Authority, and follows on the February decree establishing the National Authority. Included in the sub-decree are 45 people, including National Police Commissioner Hok Lundy. Galabru said the composition of the National Authority contains too many people who have vested interests in illegal land grabs, and she is skeptical that the National Authority will function properly. The sheer number of people and Ministries involved also does not lend itself for efficient bureaucracy, she noted.

18. (SBU) As to NGO participation in the National Authority, Galabru said that Sok Som Oeun and Ok Vandeth are still

considering whether to join the body or remain outside in the NGO working group. Galabru and the others will form a working group and interface with the National Authority on cases that come to the NGO's attention. Galabru said that Hun Sen understood the NGO position, but left the door open to future participation. The PM told the group to wait and see how well the National Authority functions; if the NGOs are interested, they can join in the future.

¶9. (SBU) At one point in the conversation, the topic reportedly turned to UN Special Representative for Human Rights Yash Ghai, and the PM allegedly told the NGOs that he would not meet with Yash Ghai in the future. According to Kek Galabru, the PM said the Ghai had no right to criticize the situation in Cambodia and provide recommendations to the Prime Minister. Hun Sen said that Yash Ghai was no improvement over Peter Leuprecht, the former UN Human Rights representative to Cambodia.

Comment

¶10. (SBU) The meeting lasted three-and-a-half hours and was very cordial, according to NGO sources. The high-level participation by the government side was particularly striking, and it appears the government was trying its best to enlist NGO support for their proposed National Authority. Nevertheless, the NGOs will likely retain their independence for the time being, choosing to work outside the government body. Interestingly, Yeng Virak and the Community Legal Education Center (CLEC) -- one of the NGOs most involved in land disputes -- was not a participant. Virak was one of the organizers of the Human Rights Day celebration that resulted in his and Kem Sokha's arrest. Since their release, the two activists have occasionally criticized each other in the press -- Virak never submitted a letter of apology to Hun Sen and was critical of Sam Rainsy and Kem Sokha's approach to reconciliation with the government. We had heard, however, that CLEC might be interested in joining the National Authority. It would appear that they still have not mended fences. End Comment.

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